IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.513/2000

Jagannath S/o Shri Ghasi
...plaintiff-appellant
Versus
Gopal Lal S/o Shri Madho
...defendant-respondent

Date of Order ::: 13.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Manoj Sharma, Counsel for plaintiff-appellant
Shri Santosh Kumar Jain, Counsel for defendant-respondent

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By the Court:-

Heard learned counsel for the parties.

The plaintiff-appellant filed a suit for permanent injunction, which was dismissed by the lower court. The judgment and decree passed by the lower court has been affirmed by the first appellate court also.

I have considered the submissions of learned counsel for both the parties in the light of the findings of both the courts below and after considering their submissions as well as the findings of both the courts below I find that the controversial issues involved in the present case are relating to question of fact and there is concurrent finding of fact by both the courts below, which cannot be

interfered with by this court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//